

## IN THE MICHIGAN COURT OF APPEALS

### ORDER

Re: **Brenda Fradette v Granger Construction Company**  
Docket No. **267759**  
L.C. No. **02-001508 NI**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),  
orders:

The claim of appeal is DISMISSED for lack of jurisdiction because a final order as defined by MCR 7.202(6)(a)(i) has not been entered yet in that there has been no order entered establishing the amount owed to Granger Construction on the cross claim against Capitol Contracting. Even if those two parties settled the remaining part of the cross claim after the April 27, 2004 order, there is still the requirement that an order be entered effectuating that settlement. See MCR 2.604(A) and 7.202(6)(a)(i). Furthermore, even if the April 27, 2004 order constitutes a disposition of that cross claim, it then raises the additional potential jurisdictional problem of timeliness in that the Court is presently unable to find in the register of actions any motion filed by plaintiff seeking to reinstate the case on or before May 18, 2004.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**MAR - 1 2006**

Date

*Sandra Schultz Mengel*  
Chief Clerk